FIFRA & TSCA Good Laboratory Practice (GLP) Compliance Monitoring Program

Office of Compliance

July 23, 2018

Today's Briefing

- **Purpose of Briefing:** To provide you with an overview of the Good Laboratory Program and an update on PRIA legislation.
- **Organization of Briefing:**
  - What is GLP and why is it important?
  - How does EPA monitor compliance with EPA's GLP Program?
  - Enforcement of GLP noncompliance
  - GLP International Activities
  - Recent GAO Audit and PRIA 4

What is Good Laboratory Practice (GLP)?

- GLP is an internationally accepted quality management system focused on the process and conditions under which non-clinical studies are planned, performed, monitored, recorded, reported and archived.
- The purpose of GLP is to assure the quality, validity and integrity of facilities and their scientific studies that support regulatory decisions by government agencies (e.g., EPA FIFRA & TSCA).

GLP was instituted in the US following cases of fraud generated by toxicology labs submitting data to both EPA and FDA.

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Benefits of the GLP Compliance Monitoring Program

- If the data used to gain approvals and permits for the manufacture, distribution, and sale or discharge into the environment of various chemical products turns out to be questionable, the regulatory system and the decisions that regulators make becomes seriously challenged.
- OCSPP does not perform its own studies but relies on the studies generated by industry. GLP inspections are the way in which the program ensures the integrity of these “outside” studies.
- In addition to civil violations the GLP program has is the past uncovered criminal activity regarding the falsification of data, e.g. Industrial Bio-Test and Craven Labs.

Benefits of the GLP Compliance Monitoring Program (Cont.)

- Industry gains a benefit through EPA inspections validating their data and processes providing credibility to their work.
- In today's global marketplace, it is common for industry to submit studies to multiple government agencies. Following internationally harmonized GLP standards reduces barriers to trade and promotes acceptance of data internationally.

What is Covered in a GLP Study/Audit?

- Studies submitted to EPA following FIFRA & TSCA GLP regulations must cover:
  - Management, study director, quality assurance and personnel
  - Facility and equipment
  - Standard operating procedures and protocols
  - Documentation
  - Test, control and reference substances
  - Final report
  - Records, Recordkeeping and Archive
- EPA can only inspect facilities after a study is submitted.
- The inspection assesses the use of good laboratory practices in the conduct and validity of the study.

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Compliance Monitoring Program

- Universe of facilities ~approximately 1,200 (domestic).
- Each year, at least 20% of the FIFRA studies submitted to OPP are audited during GLP inspections representing approximately 6% of the facility universe.
- EPA often audits multiple studies as part of each on-site facility inspection.

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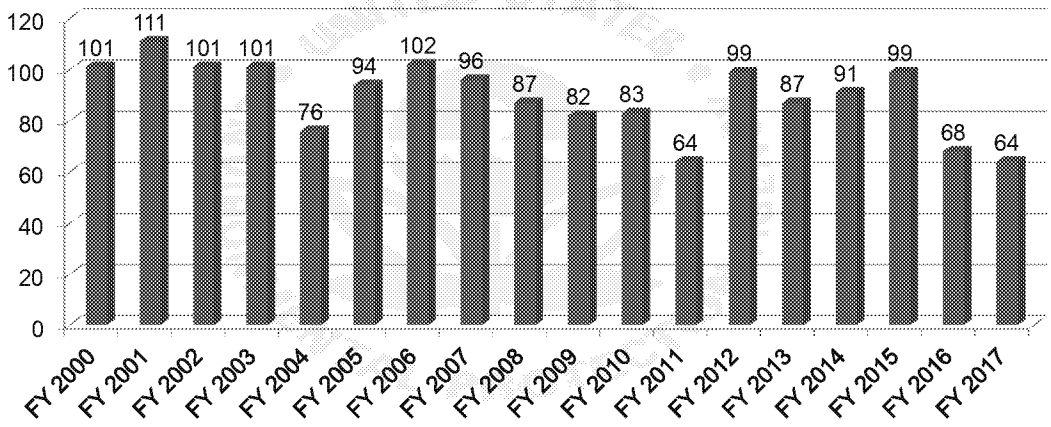
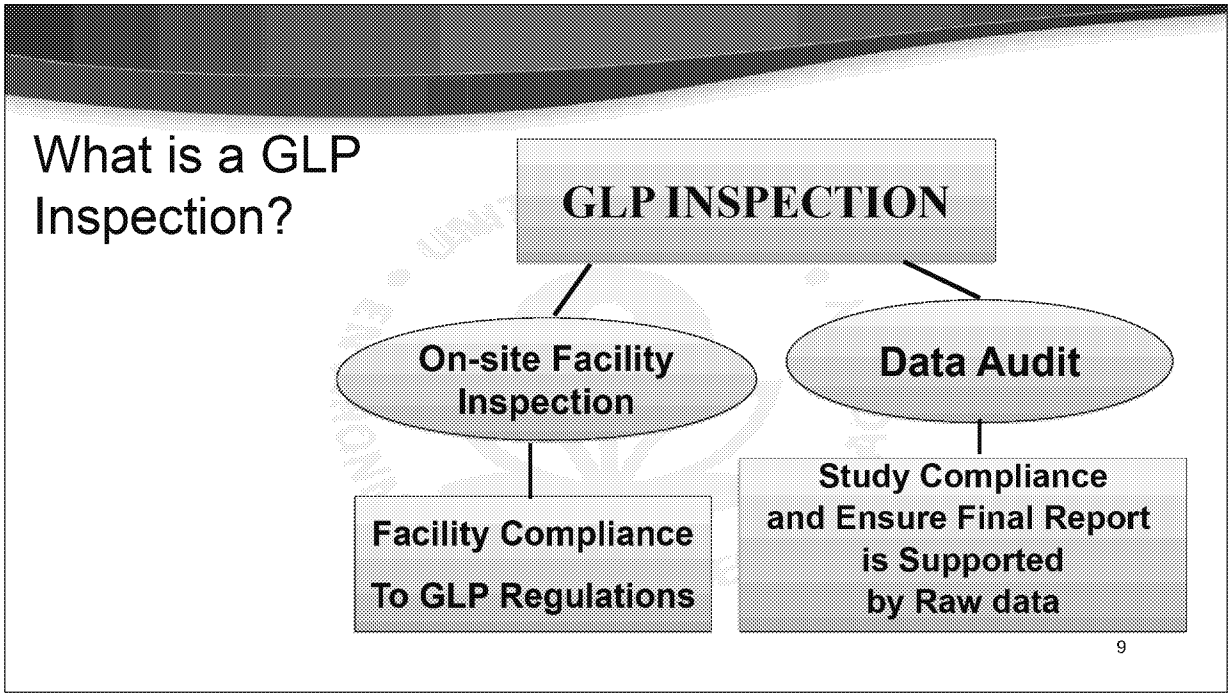
GLP Inspection Trends





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AVAILABLE NON-COMPLIANCE RESPONSES

- Civil actions:
  - Notice of non compliance
  - Notice of warning
  - Penalties
- Criminal Actions:
  - Imprisonment
  - Penalties
- Regulatory actions:
  - Study rejection by OPP/OPPT
  - Suspension or cancellation of a registered pesticide
  - Denial of an application for a pesticide or toxic chemical approval

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FY 2017 GLP Enforcement Cases

Facility	Type of Studies	Number of Studies	Enforcement Response Type	Description of Case
Rockwell Labs	Product Chemistry	2	NOW	-Failure to retain raw data -GLP violations
Bayer CropScience	Insecticide Efficacy	2	Complaint/ CAFO	-False statement/GLP violations -Total penalty in settlement - $15,000
Drexel Chemical	Product Chemistry	3	Complaint/CAFO	-False statement/GLP violations. -GLP represented 3 counts out of 12 -Total penalty in settlement for all 12 counts - $141,200

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International Activities

- Organisation for Economic Co-Operation and Development (OECD)
  - EPA participates in OECD's Mutual Acceptance of Data (MAD) program, which supports international recognition of GLP Compliance Monitoring Programs for the assessment of testing data.
  - 31 member and 6 non-member countries participate.
  - As a member, EPA is expected to attend workgroup meetings, give presentations, participate on audit teams and provide training.

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International Activities (Cont.)

- China-Institute for Control of Agrochemicals, Ministry of Agriculture (ICAMA)
  - China is not a member of OECD nor MAD.
  - From 2013 through August 2017, ICAMA worked with OECA on GLP under a Letter of Intent (LOI).
  - The purpose of the LOI was to advance the goal of mutual recognition of GLP programs.
  - OC has provided compliance and enforcement consultation and compliance monitoring training.

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International Activities (Cont.)

❖ China Ministry of Environment Protection (MEP)

- In 2015, EPA renewed an MOU with MEP to promote scientific and technical cooperation and collaboration in the field of environmental protection. The MOU focuses on "Pollution from Persistent Organic Pollutants and Other Toxics".

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GAO GLP Audit and Recommendations

In May 2014 GAO issued "*Pesticide Safety – Improvements Needed in EPA's Good Laboratory Practices Inspection Program*" with four recommendations:

1. Formalize a process for FDA/ EPA information sharing (closed)
2. Develop, with OPP, a documented procedure to coordinate and prioritize labs for inspection (closed)
3. Database cleanup (closed)
4. Explore the legal authority for establishing a user fee program (open)

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Pesticide Registration Improvement Act (PRIA 4)

- **Ex. 5 AC/DP**
- House and Senate passed bills for PRIA 4 which contain a set-aside provision of up to $500,000 annually to support the GLP program.

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Appendix

Detailed Recommendations from
GAO Report on GLP Program

GAO Report on GLP Program

In May 2014 GAO released a report, "Improvements Needed in EPA's Good Laboratory Inspection Program" and made four recommendations:

1. "EPA Administrator and FDA Commissioner develop a formal written agreement, such as a memorandum of understanding, that outlines how the two agencies plan to regularly collaborate and share information on GLP inspections and avoid duplication of inspection so that EPA can more efficiently use its limited resources." EPA agreed to develop written procedures detailing how the agencies would collaborate but did not agree to a formal MOU.
   - Status – Closed
2. "Direct OECA and OPP to develop documented procedures to coordinate and prioritize laboratories for inspections." EPA agreed.
   - Status – Closed

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GAO Report on GLP Program (Cont.)

3. "Direct OECA and OPP to ascertain the exact causes of inaccurate and incomplete data in its databases and take action to ensure that the data, such as identification of performing laboratories and inspection history, are accurately recorded." EPA agreed.
   - Status – Closed

4. "Assess the need for a fee-based inspection system, and if such a system is warranted, establish a user fee system. Seeking additional legislative authority, if necessary, to make the laboratory inspection program self-sustaining." EPA agreed to assess the authority and need for a fee-based GLP inspection system.
   - Status – Open

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